



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 05-107

Date: December 19, 2005

Application No. 76072-00

Expires: January 19, 2006

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214
Attn: Lisa Morris, telephone 615/369-7504; Fax 615/369-7501

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
STATE OF ALABAMA

SUBJECT: Proposed Modifications to Existing Marina at Tennessee River Mile 368.0, Left Bank, Jackson County, AL (Mountain Lakes Resort)

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act (CWA) and a state of Alabama Department of Environment and Conservation water quality certification pursuant to Section 401 of the CWA. Before a DA permit can be issued, the state must certify that applicable water quality standards will not be violated by the proposed work. By copy of this notice, the applicant hereby applies for the required certification. Tennessee Valley Authority (TVA) issued a permit for the work pursuant to Section 26a of the TVA Act (RLR 170156) on December 6, 2005.

APPLICANT: Mountain Lakes Resort, Inc.
1345 Murphy Hill Road
Langston, AL 35755

LOCATION: Tennessee River Mile 368.0, Left Bank, Guntersville Lake, Jackson County, AL. USGS Quad - Columbus City, AL, lat: 34-27-30; lon 86-11-00. TVA Tract XGR-643.

DESCRIPTION: The proposed work consists of modifications to an existing marina dock previously approved under DA Permit No. 76072-00 and constructed in 1996. As shown on Exhibit B, twenty-two additional 10x24' slips (11 per side separated by a 3' walkway) would be added to Facility #7. This would give a total of 22 covered slips and six open day-use slips. Construction design and materials would be similar to the 40 existing covered slips at the marina. In addition, a 30' wide concrete boat launching ramp (Facility #8) would be constructed adjacent to the dock with a top Elevation 595.9 and bottom Elevation 592. Plans of the work are attached.

File No. 76072-00
Public Notice 05-107

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An Environmental Assessment will be prepared prior to a final decision concerning issuance or denial of the requested DA Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the US Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work. In addition, TVA requires the applicant to employ best management practices during construction to control erosion and sedimentation to prevent adverse aquatic impacts. Any person may request in writing within the comment period specified in this notice that a hearing be held to consider this application. Requests shall state with particularity the reasons for holding a hearing. Written statements received in this office on or before January 19, 2006, will become a part of the record and considered in the determination. Responses to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the address above. It is not necessary to comment separately to the state or TVA since all comments will be sent to them to become part of their records on the proposal.

EXHIBIT A MOUNTAIN LAKES RESORT

UNITED STATES
TENNESSEE VALLEY AUTHORITY
MAPPING SERVICES BRANCH

FILE NO. 76072-00
PUBLIC NOTICE 05-107
COLUMBUS CITY, AL
USGS QUAD MAP
JACKSON COUNTY, AL

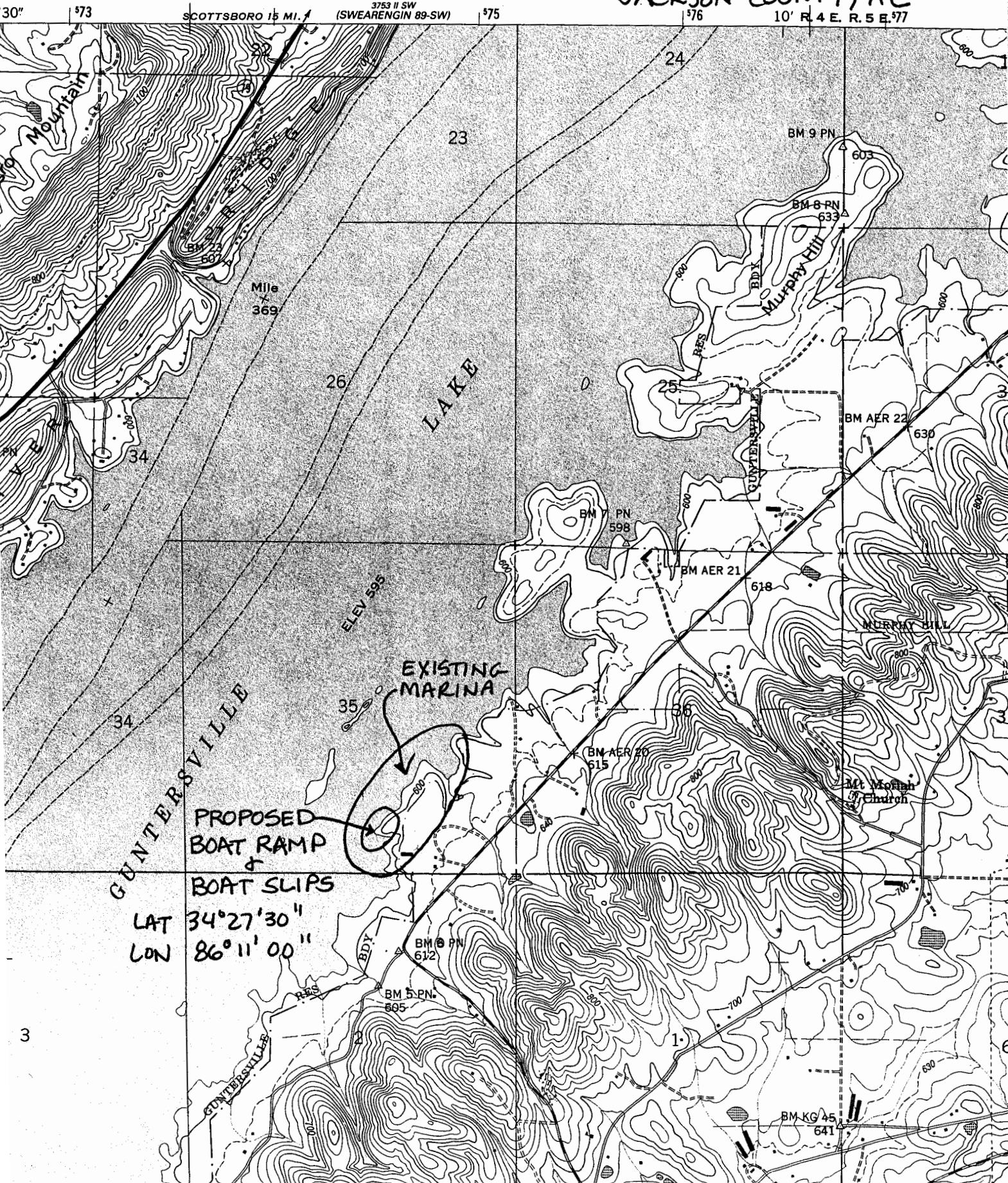
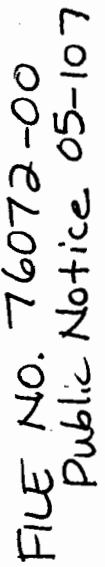


EXHIBIT B



254-04

PROPOSED BOAT RAMP



THE NORMAL SUMMER WATER LEVEL IS:
GUNTERSVILLE RESERVOIR EL. 594 TO 595.

(APPLICANT'S NAME)
Mountain Lakes Resort, Inc.
Jean McCrady, President, 1345 Murphy Hill Road, Langston, Alabama 35755

FILE NO. 76072-00
Public Notice 05-107